Virginia Title V Operating Permit

Until such time as this permit is reopened and revised, modified, revoked, terminated or expires, the permittee is authorized to operate in accordance with the terms and conditions contained herein. This permit is issued under the authority of Title 10.1, Chapter 13, §10.1-1322 of the Air Pollution Control Law of Virginia. This permit is issued consistent with the Administrative Process Act and 9 VAC 5-80-50 through 9 VAC 5-80-305 of the State Air Pollution Control Board Regulations for the Control and Abatement of Air Pollution of the Commonwealth of Virginia.

Authorization to operate a Stationary Source of Air Pollution as described in this permit is hereby granted to:

Permittee Name:	Tosco Refining LP
Facility Name:	Tosco Manassas Terminal
Facility Location:	10315 Balls Ford Road Manassas, Virginia 22110
Permit Number:	NVRO-70235
Effective Date:	July 25, 2001
Expiration Date:	July 25, 2006

Dennis H. Treacy
Director, Department of Environmental Quality

Signature Date: July 25, 2001

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I. Facility Information

Owner:

Manassas Terminal Company
1400 Park Avenue
Linden, NJ 07036 Phone: (908) 523-6364

Operator/Permittee:

Tosco Refining LP
1400 Park Avenue Contact: Robin Callaghan
Linden, NJ 07036 Phone: (908) 523-5769

Facility:

Tosco Manassas Terminal
10315 Balls Ford Road Contact: John Humphreys
Manassas, Virginia 2o109 Phone: (703) 368-9055

Responsible Official:

John Frost
General Manager Phone: (908) 523-6364

AIRS Identification Number: 51-153-0060

Facility Description: SIC Code 5171 - The facility is comprised of seven vertical gasoline storage tanks. Each tank is equipped with an internal floating roof and a primary seal. There are five tanks which contain gasoline additives and one tank which stores diesel fuel for facility use. The gasoline storage tanks receive gasoline from a pipeline, and distribute the gasoline to the loading rack. The gasoline additives are received from tank trucks. Additives and gasoline are mixed during dispensing operations at the loading rack.

The loading rack is capable of loading four tank-trucks at one time. Gasoline vapors are controlled at the loading rack with a vapor recovery unit/vapor destruction unit (VRU/VDU).

II. Significant Emission Units

Equipment to be operated consists of:

Emission Unit ID	Emission Unit Description	Size/Rated Capacity	Pollution Control Description (PCD)	PCD ID	Pollutant Controlled
T-1	Storage Tank	1,128,311 gal	Internal Floating Roof* (vapor mtd. primary seal)		Gasoline – VOC
T-2	Storage Tank	2,272,146 gal	Internal Floating Roof* (mech. shoe primary seal)		(All sources)
T-3	Storage Tank	673,851 gal	Internal Floating Roof* (vapor mtd. primary seal)		
T-4	Storage Tank	1,978,512 gal	Internal Floating Roof* (vapor mtd. Primary seal)		
T-5	Storage Tank	821,236 gal	Internal Floating Roof* (vapor mtd. Primary seal)		
T-6**	Storage Tank	2,381,945 gal	Internal Floating Roof* (mech. Shoe primary seal)		
T-7**	Storage Tank	2,377,921 gal	Internal Floating Roof* (mech. shoe primary seal)		
LR*** (VRU/ VDU)	Loading Rack	144,000 gal/hr	Vapor Recovery Unit Vapor Destruct Unit	John Zink, AA-825-11-7	

* These tanks may store either gasoline or distillates.
** Subject to 40 CFR 60, Subpart Kb
*** Subject to 40 CFR 60, Subpart XX

III. Emission Unit - Tanks

A. Limitations

1. Emissions to the atmosphere from the fixed roof gasoline storage tanks shall be controlled by internal floating roofs resting on the surface of the liquid contents and equipped with closure seals to close the space between the roof edge and the tank shell. Tanks storing volatile organic compounds shall achieve a minimum 90% by weight reduction in emissions. The storage of petroleum products with a true vapor pressure greater than or equal to 1.5 pounds per square inch absolute (psia) shall achieve this reduction by installing an internal floating roof. The exterior above ground surfaces of the tanks, exposed to sunlight, should be painted white, light pastel, or light metallic and such exterior paint should be periodically maintained in good condition. Repainting may be performed during normal maintenance periods. (9 VAC 5-40-5200.C, 9 VAC 5-40-5220 A. 1., 2., and 9 VAC 5-40-5230.A. 1 - 4)

2. Fixed roof tanks storing petroleum liquids with a vapor pressure less than 1.5 (psia)

under actual storage conditions or, in the case of filling or processing, under actual filling conditions are exempt from Rule 4-37. (9 VAC 5-40-5200. C)

3. Tanks T-6 and T-7 shall be operated in conformance with 40 CFR 60, Subpart Kb unless more stringent requirement is specified in this permit. (40 CFR 60.112b and 9 VAC 5-80-110.B.1)

B. Monitoring

1. The tanks with internal floating roofs shall be visually inspected annually. The inspections shall be made through available roof hatches and manholes located on the fixed roofs of the tanks. The internal floating roof, primary seal, and, if present, the secondary seal of each tank shall be inspected. If the inspection reveals that the internal floating roof is not resting on the surface of the petroleum product inside the tank, or there is liquid accumulated on the floating roof, or the seal is detached, or there are holes or tears in the cover or seal material, the owner/operator shall repair the items or empty and remove the tank from service within forty five days. If a failure that is detected during the inspection required by this condition cannot be repaired within forty five days, or if the tank cannot be emptied within forty five days in order to make repairs, a thirty day extension may be requested from the Air Compliance Manager, Northern Virginia Regional Office. An extension request must be made in writing and certify that alternate storage capacity is unavailable. A schedule for completing the necessary repairs must accompany such requests. (9 VAC 5-40-5220. A.. 4. a, and Conditions 3 and 9 of the permit dated March 3, 1998)

2. An inspection shall be made of the internal floating roof, the primary seal, the secondary seal (if one is in service), gaskets, slotted membranes and sleeve seals (if any) of each tank each time it is emptied and degassed. If the internal floating roof has defects, the primary seal had holes, tears, or other openings in the seal or seal fabric, or the gaskets no longer close off the liquid service from the atmosphere, or the slotted membrane has more than 10 percent open area, the owner/operator shall repair the items as necessary so that none of the anomalies specified herein shall exist when the tank is refilled. This inspection should occur when the tank is taken out of service for maintenance, an emergency or similar purpose, but in no case shall this inspection occur at an interval greater than 10 years. (9 VAC 5-40-5220. A. 4. b, and Condition 10 of the permit dated March 3, 1998)

3. Tank emissions shall be monitored annually by the throughput and the current version of the EPA TANKS model. (9 VAC 5-80-110. E and 9 VAC 5-40-5220. A.4.c)

C. Recordkeeping

1. A copy of each inspection for each tank shall be kept on site and the contents of these reports shall contain, at a minimum, the condition of each item of inspection, all measurements taken, particularly the seal gap measurements, and specific details of

each repair made with the date and signature of the person making the repair. (9 VAC 5-40-5220. A.4. c; 9 VAC 5-40-5310; 9 VAC 5-80-110. F, and Conditions 12 and 14 of the
permit dated March 3, 1998)

2. A record of the EPA TANKS model shall be kept on an annual basis. These records shall be kept for a period of five years. (9 VAC 5-80-110. F.1.b)

3. An annual record of the throughput of each tank that shall include the throughput quantities, the types of petroleum liquids stored, the average monthly storage temperature, and the true vapor pressure of the liquid as stored. (9 VAC 5-40-5220.A.4.c. and 9 VAC 5-80-110.F)

D. Reporting

1. Tosco shall notify the Air Compliance Manager, Northern Virginia Regional Office at least thirty days prior to the filling or refilling of each storage vessel for which an inspection is required. In the event it is impossible, by reason of extenuating circumstances, a thirty day notice cannot be made, the Air Compliance Manager, Northern Virginia Regional Office shall be notified by telephone at least seven days prior to the filling/refilling of the storage vessel. Notification shall be made immediately following the telephone call by a written document explaining why an inspection was unplanned. (9 VAC 5-40-5310, 9 VAC 5-40-50.H, and Condition 9 of the permit dated March 3, 1998)

IV. Emission Unit - Loading Rack/VCUS

A. Limitations

1. The annual throughput of gasoline through the loading rack (LR) shall be limited to 438,000,000 gallons calculated monthly as the sum of each twelve month period. (9 VAC 5-80-110. B. 1, and Condition 4 of the permit dated March 3, 1998)

2. The total organic compound emissions from the VCUs shall not exceed 10 mg/l of gasoline loaded. (9-VAC 5-80-100.A., and Condition 7 of the permit dated March 3, 1998)

3. The vapor collection system shall be designed to prevent any total organic compound vapors collected at one loading rack from passing to another rack. (40 CFR 60.502(d))

4. Tanker trucks shall be filled by either a top-submerged, or bottom fill in conjunction with a vapor control system. An equivalent system may be employed with prior approval by the Board. (9 VAC 5-40-5230. D. 1 and 2. a)

5. There should be no leaks in the tanker trucks pressure vacuum release valves and hatch covers, nor tanker truck associated vapor return lines during loading or unloading operations. (9 VAC 5-40-5220.D 2. b. (1))

6. Pressure relief valves on storage containers and tank trucks should be set to release at no less than 0.7 pounds per square inch (psi) or the highest possible pressure, in accordance with the following National Fire Prevention Association Standards: NFPA 385, Standard for Tank Vehicles for Flammable and Combustible Liquids; NFPA 30, Flammable and Combustible Liquids Code; NFPA 30A, Automotive and Marine Service Station Code. (9 VAC 5-40 5220. D. 2. b. (2))

7. Pressure in the vapor collection lines should not exceed tanker truck pressure relief valve settings. (9 VAC 5-40-5220.D. 2. b. (3))

8. All vapor lines should be equipped with fittings that make vapor tight connections. (9 VAC 5-40-5220. D. 2. b. (4))

9. Emissions from vapor destruct unit (VDU) shall not exceed eight tons/yr of nitrogen oxides (NO_x) and nineteen tons /yr of carbon monoxide (CO). Emissions of particulate matter and sulfur oxides are insignificant.
(9 VAC 5-80-100.B.1)

B. Monitoring

1. Volatile organic compound and total organic compound emissions through the vapor recovery unit (VRU) shall be controlled by operation and maintenance measures according to the manufacturers instructions. This includes daily/monthly checks of operating settings (pressure and temperature) and quarterly preventive maintenance by the manufacturer.
(9 VAC 5-80-110. E)

2. The thermal oxidation or flare system shall be provided with a sensor located in proximity to the pilot light to indicate the presence of a flame. (9 VAC 5-40-5300 and 9 VAC 5-80-110.E.3)

3. During loading and unloading of gasoline tanker trucks there shall be no volatile organic compound concentrations detected greater than or equal to 100% of the lower explosive limit (LEL measured as propane) at 2.5 centimeters around the perimeter of a potential leak source as detected by a combustible gas detector. Invariably there will be a few drops from the disconnection of well-maintained bottom loading dry breaks and the raising of well-maintained top loading vapor heads; these few drops are allowed. The vapor collection system includes all piping, seals, hoses, connections, pressure/vacuum vents and other possible leak sources between the truck and the vapor disposal unit and between the storage tanks and the vapor recovery unit. This test shall occur at a minimum, annually. (9 VAC 5-40-5220. G. 4, 9 VAC 5-40-5300 and 9 VAC 5-40-40. E.

10)

4. The loading rack/VRU/VCU shall be inspected for total organic compound liquid and vapor leaks. This inspection shall be, at a minimum, once each calendar month. The inspection shall take place during loading of gasoline tank trucks. An acceptable method for inspection/detection shall be sight, smell, or sound. (40 CFR 60. 502 (j))

C. Testing

1. The vapor control system may be stack tested at any time upon request by the Department of Environmental Quality (DEQ). The vapor control system shall be tested once per permit term, within eighteen (18) months of the issuance of this permit. The vapor control system shall be tested after a major shutdown. A major shut-down is defined as complete change-out of the carbon beds, burn-through of the carbon beds, failure of the refrigeration unit, and/or failure of the combustion unit. The following test methods and procedures shall be used – 40 CFR 60, Appendix A, and 40 CFR 60, Subpart XX. (9 VAC 5-80-100.A and Condition 7 of the permit dated March 3, 1998)

D. Recordkeeping

1. A record of all inspections of the Loading Rack/VRU shall be kept in a manner dedicated for that purpose listing at a minimum the name of the inspector, the date of the inspection, the time, and any leak detected. Any leak discovered shall be repaired within fifteen days. If the leak cannot be repaired within fifteen days the Air Compliance Manager, Northern Virginia Regional Office shall be notified. The notification shall state the circumstances of the leak and the reason the repair cannot be made within the prescribed fifteen day time frame. A schedule for the repair must accompany the notification. (40 CFR 60. 502 (j) and 40 CFR 60. 505 (c)).

   a. This record shall be available on site for inspection by DEQ, and it shall be current for the most recent five years. (9 VAC 5-40-5310, 9 VAC 5-80-110. F. 1.a and b, and Conditions 14 and 16 of the permit dated March 3, 1998)

2. A record shall be kept of the monthly leak-check-while-loading-or-unloading conducted on the tanker and loading rack fittings. These records shall be kept on site and made available on request from DEQ inspectors. These records shall be retained on site for a period of the most recent five years. (9 VAC 5-40-5220. G. 4. And Condition 14 of the permit dated March 3, 1998)

3. A record of each stack test as required in Condition IV. C. 1., shall be retained on site and made available on request from DEQ inspectors. These records shall be retained on site for the most recent five years. (9 VAC 5-80-110. F.1.b)

E. Reporting

1. The VOC fugitive emissions from the loading rack shall be determined by throughputs and the established factor of 8 milligrams per liter (mg/l) of gasoline loaded as reflected in EPA 450/2-78-051. These emissions shall be calculated annually for emission inventory and fee purposes. (9 VAC 5-80-110. A. 3)

V. Emission Unit - Cold Cleaner

A. Limitations

1. No owner or other person shall use or permit the use of any open top (cold cleaner) degreaser unless such degreaser is equipped with a control method that will remove, destroy, or prevent the discharge into the atmosphere of at least 85% by weight of volatile organic emissions. (9 VAC 5-40-3280. C)

2. Covers or remote reservoirs should be provided. Covers should be designed to be easily operated with one hand. The operation of certain covers may be of a type that is spring loaded, counterbalanced or operated by a power system. Enclosed remote reservoirs should be designed such that they provide emission reduction effectiveness equivalent to a cover. (9 VAC 5-40 3290. C.1.a)

3. External or internal drainage facilities should be provided to collect and return the solvent to a closed container or a solvent cleaning machine. If solvent volatility is greater than 0.6 psi measured at 100^0 F, then the drainage should be internal, so that parts are enclosed under cover while draining. The drainage facilities may be external for applications where an internal type cannot fit into the cleaning system. (9 VAC 5-40-3290.C.1.b)

4. A permanent label, summarizing the operating procedures should be placed in a conspicuous location on or near the degreaser. The operation procedures for the degreaser unit shall be clearly displayed by a permanent sign or label, which is located in a conspicuous location on, or near the unit. (9 VAC 5-40-3290.C.1.c)

5. If used, the solvent spray should be a solid, fluid stream (not a fine, atomized or shower type spray) and the pressure which does not cause excessive splashing. (9 VAC 5-40-3290.C.1.d)

B. Monitoring

1. The cold cleaner degreaser unit shall be inspected monthly for condition and functionality. (9 VAC 5-80-110. E. 2)

C. Recordkeeping

1. The owner of a stationary source shall keep records as may be necessary to determine its emissions. Such records shall be retained on site for inspection by the DEQ. These records shall be kept for the most recent five years. (9 VAC 5-80-110. F)

2. A log shall be kept of all inspections and servicing of the degreaser unit. (9 VAC 5-80-110. F)

VI. Tanker Truck Certification (Vapor Tightness)

A. Limitations

1. Loading of liquid product into gasoline tank trucks shall be limited to vapor-tight gasoline tank trucks as follows:

   (a) The terminal owner or operator shall obtain the vapor tightness documentation, described below, for each gasoline tank truck that is to be loaded at the facility.

   (b) The terminal owner or operator shall require the tank identification number to be recorded as each gasoline tank truck is loaded. This may be done manually or electronically.

   (c) The terminal owner or operator shall cross-check each tank identification number obtained during item (b) above to assure vapor tightness documentation <u>within two weeks after the tank is loaded.</u>

   (d) The terminal owner or operator shall notify the owner or operator of each nonvapor-tight gasoline tank truck loaded at the facility <u>within three weeks after the loading has occurred.</u>

   (e) The terminal owner or operator shall take steps assuring that the nonvapor-tight gasoline tank truck will not be reloaded at the facility until vapor tightness documentation for that tank is obtained.

(40 CFR 60.502(e)(3)-(5); 40 CFR 60.502(f)-(i); and 40 CFR 60.505(a))

NOTE: Electronic identification and verification of vapor tightness is an acceptable method. Further cross-checks and notifications are not required as listed in (c) and (d) above.

B. Recordkeeping

1. Tanker truck vapor tightness documentation shall be kept on file at the terminal in a permanent form available for inspection. This documentation file for each gasoline tank truck shall be updated at least once per year to reflect the current test results as determined by Method 27 of 40 CFR 60 Appendix A and Subpart XX. This record shall include at a minimum the following information:

(1) Test title: Gasoline Delivery Tank Pressure Test - EPA Reference Method 27.
(2) Tank owner and address.
(3) Tank identification number.
(4) Testing location.
(5) Date of test.
(6) Tester name and signature.
(7) Witnessing inspector, if any - Name, signature and affiliation.
(8) Test results - Actual pressure change in five (5) minutes, mm of water (average for two (2) runs).

(40 CFR 60.505(a),(b) and 9 VAC 5-80-110 F. 1. b)

2. Records shall be kept of all replacements or additions to the vapor control system. (40 CFR 60.505(a), (b), and (f) ; 9 VAC 5-80-110. F.1. b)

VII. Facility Wide Conditions

A. Limitations

1. The primary emissions from this source are volatile organic compounds. (9 VAC 5-80-110.B)

2. Annual hazardous air pollutant (HAP) emissions shall be less than 10 tons/yr for any single HAP and less than 25 tons/yr for total HAP. The HAPs most likely to be emitted are benzene, cumene, ethylbenzene, hexane, trimethylpentane, methyl tertiary butyl ether (MTBE), naphthalene, toluene, and xylenes (-m). This condition will be satisfied as long as the throughput of the loading rack remains at a level to satisfy Condition 3 below. (9 VAC 5-80-100.B.2., and Condition 14 of the permit dated March 3, 1998)

3. The throughput of gasoline through the loading racks shall be 438,000,000 gallons calculated monthly as the sum of each consecutive 12-month period. (9 VAC 5-80-110.B.1, and Condition 4 of the permit dated March 3, 1998)

4. No owner or other person shall cause or permit to be discharged into the atmosphere from any affected facility any visible emissions which exhibit greater than 20% opacity, except for one six-minute period in any one hour of not more than 30% opacity. Failure to meet the requirements of this section because of the presence of water vapor shall not be a violation of this section. (9 VAC 5-50-80)

5. During the construction, modification or operation phase of a stationary source or any other building, structure, facility or installation no owner or other person shall cause or permit any materials or property to be handled, transported, stored, used, constructed, altered repaired, or demolished without taking reasonable precautions to prevent particulate matter from becoming airborne. (9 VAC 5-50-90)

B. Monitoring

1. Emissions from the tanks shall be estimated by the throughput of the tanks and the current version of the EPA TANKS model or an acceptable alternative. Such results are for emission inventory purposes. (9 VAC 5-40-5300 and 9 VAC 5-80-110. B. 1)

2. The loading rack and VRU shall be inspected monthly for leakage of liquid or vapor. The method of inspection to be used shall be sight, smell, or sound. (40 CFR 60.502 (j)).

3. The loading of liquid product into gasoline tanker trucks shall be limited to vapor-tight gasoline tank trucks. Vapor-tightness documentation shall be presented to the terminal owner or operator prior to loading. Tanker truck vapor tightness documentation required shall be kept on file at the terminal in a permanent form available for inspection. This documentation file for each gasoline tank truck shall be updated at least once per year to reflect the current test results as determined by Method 27 of 40 CFR 60, Appendix A and 40 CFR 60. 502 (e). This record shall include at a minimum the following:

   (1) Test title: Gasoline Delivery Tank Pressure Test - EPA Reference Method 27.
   (2) Tank owner address.
   (3) Tank identification number.
   (4) Testing location.
   (5) Date of test.
   (6) Testers name and signature.
   (7) Witnessing inspector, if any - Name, signature, and affiliation.
   (8) Test results - Actual pressure change in five (5) minutes, mm of water (average for two runs. (40 CFR 60.502 (e) 3-5; 60.502 (f-j) 60.505 (a) and 9 VAC 5-40-5220. G. 1)

4. A monthly inspection of the site shall be made on each valve, pump, open-ended valve or line, pressure relief device, sampling connection system, flange, or other connector in the gasoline liquid transfer or vapor system. This test may be in conjunction with the inspection of the loading rack and vapor control unit. An acceptable method for detection is sight, sound, or smell. Results of this inspection shall be recorded in a log book which shall be kept at the facility being inspected. (9 VAC 5-40-5290)

C. Testing

1. The permitted facility shall be constructed so as to allow for emissions testing at any time using appropriate methods. Upon request from the DEQ, test ports will be provided at the appropriate locations.
   (9 VAC 5-40-5290 and 9 VAC 5-80-110. K. 1)

2. If testing is conducted in addition to the monitoring specified in this permit, the permittee shall use the following test methods in accordance with procedures approved by the DEQ as follows:

Pollutant	Test Method (40 CFR Part 60, Appendix A)
VOC	EPA Methods 18, 25, 25a, 25b

Pollutant	Test Method (40 CFR Part 60, Appendix A)
VOC	EPA Methods 24, 24a
NOx	EPA Method 7
SO2	EPA Method 6
CO	EPA Method 10
PM/PM10	EPA Methods 5, 17
Visible Emission	EPA Method 9

(40 CFR 60.502 (e)(3-5); 60.502 (f-i); 60.505 (a), 9 VAC 5-20-121. A. 2, and 9 VAC 5-80 110.B.1)

D. Recordkeeping

The permittee shall maintain records of all emissions data and operating parameters necessary to demonstrated compliance with this permit. The content of and format of such records shall be arranged with the Air Compliance Manager, Northern Virginia Regional Office. These records shall include, but are not limited to:

1. Annual throughput of gasoline at the rack (LR), calculated monthly as the sum of each consecutive 12 month period.

2. 2. A record shall be kept of the throughput of the loading rack that lists the quantity and type of each product. These annual records shall be calculated monthly as the sum of each 12 month period. (9 VAC 5-80-110. F. 1, and Condition 14 of the permit dated March 3, 1998)

3. Temperature of the VRU and the vacuum/pressure at the inlet. This may be done either by a daily manual check or by a continuous monitoring device that yields a 24 hour per day chart.

4. Leak test inspections.

5. Site liquid/vapor leak inspections.

6. Records of malfunctions of equipment that would cause a violation of any part of this permit.

7. Inspections, maintenance schedules, and service records for all air pollution related equipment.

8. Calculated fugitive emissions from tank degassing, losses through pumps, flanges, etc., losses at the loading rack from tanker truck loadings

These records shall be available on site for inspection by the DEQ and shall be current for the most recent five years. (9 VAC 5-80-110. F)

D. Reporting

1. Performance tests shall be conducted and reported and data reduced as set forth in 9 VAC 5-40-30. The details of the test are to be arranged with the Air Compliance Manager, Northern Virginia Regional Office. The owner/operator shall submit a test protocol at least thirty (30) days prior to testing. Three copies of the test results shall be submitted to the Air Compliance Manager, Northern Virginia Regional Office within forty five days after test completion. Results shall also be sent to:

   Chief, Air Enforcement Branch (3AT20)
   U. S. Environmental Protection Agency
   Region III
   1650 Arch Street
   Philadelphia, PA 19103-2029

   Copies of results of tests required by 40 CFR 60.8 and Subpart XX along with annual monitoring records for leak inspections as stated in Conditions IV. B. 4

VIII. Insignificant Emission Units

The following emission units at the facility are identified in the application as insignificant emission units under 9 VAC 5-80-720:

Emission Unit No.	Emission Unit Description	Citation (9 VAC)	Pollutant Emitted	Actual/Potential Contents	Rated Capacity
A-1	Horizontal Tank	5-40-5200. C	VOC	Gasoline Additive	8,000 gal
A-2	Horizontal Tank	5-40-5200. C	VOC	Gasoline Additive	4,000 gal
A-3	Horizontal Tank	5-40-5200. C	VOC	Gasoline Additive	12,000 gal
A-4	Horizontal Tank	5-40-5200. C	VOC	Gasoline Additive	10,000 gal
A-5	Horizontal Tank	5-40-5200. C	VOC	Gasoline Additive	10,000 gal
W-1	Horizontal Tank	5-40-5200. C	VOC	Water/Gasoline	20,000 gal
W-2	Horizontal Tank	5-40-5200. C	VOC	Water/Gasoline	20,000 gal

These emission units are presumed to be in compliance with all requirements of the federal Clean Air Act as may apply. Based on this presumption, no monitoring, recordkeeping, or reporting shall be required for these emission units in accordance with 9 VAC 5-80-110.

IX. Permit Shield & Inapplicable Requirements

Compliance with the provisions of this permit shall be deemed compliance with all applicable requirements in effect as of the permit issuance date as identified in this permit. This permit shield covers only those applicable requirements covered by terms and conditions in this permit and the following requirements that have been specifically identified as being not applicable to this permitted facility:

Citation	Title of Citation	Description of applicability
9 VAC 5-40-3410 through 3550	Emission Standards for VOC Storage and Transfer Operations	Since the provisions under petroleum liquids storage or transfer apply, and support tanks are less than 40,000 gallons capacity Article 25 does not apply (9 VAC 5-40-3410. C)
40 CFR 60, Subparts K and Ka Gasoline Storage Tanks	NSPS for storage vessels for petroleum liquids/volatile organic liquids	All gasoline storage tanks with exception of two* were constructed prior to June 11, 1973
40 CFR 63, Subpart R	National Emission Standard for Gasoline Distribution - Stage I	Potential to emit is below 10 TPY for a single HAP and below 25 TPY for a combination of all HAP
40 CFR 68	Accidental Release Prevention Requirements: Section 112 (r)	Petroleum Liquids (gasoline, diesel fuel, jet fuel, etc.) Are not subject to this rule

* Tanks T-6, and T-7 were constructed in 1996. This makes 40 CFR 60, Subpart Kb applicable to these two units.

Nothing in this permit shield shall alter the provisions of § 303 of the federal Clean Air Act, including the authority of the administrator under that section, the liability of the owner for any violation of applicable requirements prior to or at the time of permit issuance, or the ability to obtain information by the administrator pursuant to § 114 of the federal Clean Air Act, (ii) the Board pursuant to § 10.1-1314 or § 10.1-1315 of the Virginia Air Pollution Control Law or (iii) the Department pursuant to § 10.1-1307.3 of the Virginia Air Pollution Control Law.
(9 VAC 5-80-140)

X. General Conditions

A. Federal Enforceability

All terms and conditions in this permit are enforceable by the administrator and citizens under the federal Clean Air Act, except those that have been designated as only state-enforceable. (9 VAC 5-80-110 N)

B. Permit Expiration

This permit shall become invalid five years from the date of issuance. The permittee shall submit an application for renewal of this permit no earlier than 18 months and no later than six months prior to the date of expiration of this permit. Upon receipt of a complete and timely application for renewal, this source may continue to operate subject to final action by the DEQ on the renewal application. (9 VAC 5-80-110 D and 9 VAC 5-80-80 F)

C. Recordkeeping and Reporting

1. All records of monitoring information maintained to demonstrate compliance with the terms and conditions of this permit shall contain, where applicable, the following:

   a. The date, place as defined in the permit, and time of sampling or measurements.

   b. The date(s) analyses were performed.

   c. The company or entity that performed the analyses.

   d. The analytical techniques or methods used.

   e. The results of such analyses.

   f. The operating conditions existing at the time of sampling or measurement.
   (9 VAC 5-80-110 F)

2. Records of all monitoring data and support information shall be retained for at least five years from the date of the monitoring sample, measurement, report, or application. Support information includes all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by the permit.
   (9 VAC 5-80-110 F)

3. The permittee shall submit the results of monitoring contained in any applicable requirement described below to DEQ no later than **March 1** and **September 1** of each calendar year. This report must be signed by a responsible official, consistent with 9 VAC 5-80-80 G, and shall include:

   a. The time period included in the report. The time periods to be addressed are January 1 to June 30 and July 1 to December 31.

   b. All deviations from permit requirements. For purposes of this permit, a "deviation" means any condition determined by observation, data from any monitoring protocol or any other monitoring which is required by the permit that

can be used to determine compliance. Deviations include exceedances documented by continuous emission monitoring or excursions from control performance indicators documented through periodic or compliance assurance monitoring. (9 VAC 5-80-110 F)

D. Annual Compliance Certification

Exclusive of any reporting required to assure compliance with the terms and conditions of this permit or as part of a schedule of compliance contained in this permit, the permittee shall submit to EPA and DEQ no later than **March 1** each calendar year a certification of compliance with all terms and conditions of this permit including emission limitation standards or work practices. The compliance certification shall comply with such additional requirements that may be specified pursuant to § 114(a)(3) and § 504(b) of the federal Clean Air Act. This certification shall be signed by a responsible official, consistent with 9 VAC 5-80-80 G, and shall include:

1. The time period included in the certification. The time period to be addressed is January 1 to December 31.

2. The identification of each term or condition of the permit that is the basis of the certification.

3. The compliance status.

4. Whether compliance was continuous or intermittent, and if not continuous, documentation of each incident of non-compliance.

5. Consistent with subsection 9 VAC 5-80-110 E, the method or methods used for determining the compliance status of the source at the time of certification and over the reporting period.

6. Such other facts as the permit may require to determine the compliance status of the source.

One copy of the annual compliance certification shall be sent to EPA at the following address:

Clean Air Act Title V Compliance Certification (3AP00)
U.S. Environmental Protection Agency, Region III
1650 Arch Street
Philadelphia, PA 19103-2029.

(9 VAC 5-80-110 K.5)

E. Permit Deviation Reporting

The permittee shall report by the next business day any deviations from permit requirements or any excess emissions, including those attributable to upset conditions as

defined in this permit, the probable cause of such deviations, and any corrective actions or preventive measures taken. (9 VAC 5-80-110 F.2)

F. Failure/Malfunction Reporting

If, for any reason, the affected facilities or related air pollution control equipment fails or malfunctions and may cause excess emissions for more than one hour, the owner shall notify the Air Compliance Manager, Northern Virginia Regional Office, within four (4) daytime business hours of the occurrence. In addition, the owner shall provide a written statement, within 14 days, explaining the problem, corrective action taken, and the estimated duration of the breakdown/shutdown. (9 VAC 5-80-250)

G. Severability

The terms of this permit are severable. If any condition, requirement or portion of the permit is held invalid or inapplicable under any circumstance, such invalidity or inapplicability shall not affect or impair the remaining conditions, requirements, or portions of the permit. (9 VAC 5-80-110 G.1)

H. Duty to Comply

The permittee shall comply with all terms and conditions of this permit. Any permit noncompliance constitutes a violation of the federal Clean Air Act or the Virginia Air Pollution Control Law or both and is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or for denial of a permit renewal application. (9 VAC 5-80-110 G.2)

I. Need to Halt or Reduce Activity not a Defense

It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit. (9 VAC 5-80-110 G.3)

J. Permit Action for Cause

This permit may be modified, revoked, reopened, and reissued, or terminated for cause as specified in 9 VAC 5-80-110 L, 9 VAC 5-80-240 and 9 VAC 5-80-260. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or of a notification of planned changes or anticipated noncompliance does not stay any permit condition. (9 VAC 5-80-110 G.4)

Such changes that may require a permit modification and/or revisions include but are not limited to, the following:

a. Erection, fabrication, installation, addition, or modification of an emissions unit (which is the source, or part of it, which emits or has the potential to emit any regulated air pollutant), or of a source, where there is, or there is the potential of, a resulting

emissions increase;

b. Reconstruction or replacement of any emissions unit or components thereof such that it's capital cost exceeds 50% of the cost of a whole new unit;

c. Any change at a source which causes emission of a pollutant not previously emitted, an increase in emissions, production, throughput, hours of operation, or fuel use greater than those allowed by the permit, or by 9 VAC 5-80-11, unless such an increase is authorized by an emission cap; or any change at a source which causes an increase in emissions resulting from a reduction in control efficiency, unless such an increase is authorized by an emissions cap;

d. Any reduction of the height of a stack or of a point of emissions, or the addition of any obstruction which hinders the vertical motion of exhaust;

e. Any change at the source that affects its compliance with conditions in this permit, including conditions relating to monitoring, recordkeeping, and reporting;

f. Addition of an emissions unit which qualifies as insignificant by emissions rate (9 VAC 5-80-720 B) or by size or production rate (9 VAC 5-80-720 C);

g. Any change in insignificant activities, as defined by 9 VAC 5-80-90 D.1.a.(1) and by 9 VAC 5-80-720 B and 9 VAC 5-80-720 C.

(9 VAC 5-80-110 G, 9 VAC 5-80-110 J, 9 VAC 5-80-240, and 9 VAC 5-80-260)

K. Property Rights

The permit does not convey any property rights of any sort, or any exclusive privilege. (9 VAC 5-80-110 G.5)

L. Duty to Submit Information

1. The permittee shall furnish to the board, within a reasonable time, any information that the board may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit or to determine compliance with the permit. Upon request, the permittee shall also furnish to the board copies of records required to be kept by the permit and, for information claimed to be confidential, the permittee shall furnish such records to the board along with a claim of confidentiality.
(9 VAC 5-80-110 G.6)

2. Any document (including reports) required in a permit condition to be submitted to the board shall contain a certification by a responsible official that meets the requirements of 9 VAC 5-80-80 G. (9 VAC 5-80-110 K.1)

M. Duty to Pay Permit Fees

The owner of any source for which a permit under 9 VAC 5-80-50 through 9 VAC 5-80-

305 was issued shall pay permit fees consistent with the requirements of 9 VAC 5-80-310 through 9 VAC 5-80-355. The actual emissions covered by the permit program fees for the preceding year shall be calculated by the owner and submitted to the department by April 15 of each year. The calculation and final amount of emissions are subject to verification and final determination by the department.
(9 VAC 5-80-110 H and 9 VAC 5-80-340)

N. Fugitive Dust Emission Standards

During the operation of a stationary source or any other building, structure, facility or installation, no owner or other person shall cause or permit any materials or property to be handled, transported, stored, used, constructed, altered, repaired, or demolished without taking reasonable precautions to prevent particulate matter from becoming airborne. Such reasonable precautions may include, but are not limited, to the following:

1. Use, where possible, of water or chemicals for control of dust in the demolition of existing buildings or structures, construction operations, the grading of roads, or the clearing of land;

2. Application of asphalt, oil, water, or suitable chemicals on dirt roads, materials stockpiles, and other surfaces which may create airborne dust; the paving of roadways and the maintaining of them in a clean condition;

3. Installation and use of hoods, fans, and fabric filters to enclose and vent the handling of dusty material. Adequate containment methods shall be employed during sandblasting or other similar operations;

4. Open equipment for conveying or transporting material likely to create objectionable air pollution when airborne shall be covered or treated in an equally effective manner at all times when in motion; and

5. The prompt removal of spilled or traced dirt or other materials from paved streets and of dried sediments resulting from soil erosion. (9 VAC 5-40-90 or 9 VAC 5-50-90)

O. Startup, Shutdown, and Malfunction

At all times, including periods of startup, shutdown, soot blowing, and malfunction, owners shall, to the extent practicable, maintain and operate any affected facility including associated air pollution control equipment in a manner consistent with air pollution control practices for minimizing emissions. Determination of whether acceptable operating and maintenance procedures are being used will be based on information available to the board, which may include, but is not limited to, monitoring results, opacity observations, review of operating and maintenance procedures, and inspection of the source.
(9 VAC 5-50-20)

P. Alternative Operating Scenarios

Contemporaneously with making a change between reasonably anticipated operating

scenarios identified in this permit, the permittee shall record in a log at the permitted facility a record of the scenario under which it is operating. The permit shield described in 9 VAC 5-80-140 shall extend to all terms and conditions under each such operating scenario. The terms and conditions of each such alternative scenario shall meet all applicable requirements including the requirements of 9 VAC 5 Chapter 80 Article 1. (9 VAC 5-80-110 J)

Q. Inspection and Entry Requirements

The permittee shall allow DEQ, upon presentation of credentials and other documents as may be required by law, to perform the following:

a. Enter upon the premises where the source is located or emissions-related activity is conducted, or where records must be kept under the terms and conditions of the permit.

b. Have access to and copy, at reasonable times, any records that must be kept under the terms and conditions of the permit.

c. Inspect at reasonable times any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under the permit.

d. Sample or monitor at reasonable times substances or parameters for the purpose of assuring compliance with the permit or applicable requirements.

(9 VAC 5-80-110 K.2)

R. Reopening for Cause

The permit shall be reopened by the board if additional federal requirements become applicable to a major source with a remaining permit term of three or more years. Such a reopening shall be completed not later than 18 months after promulgation of the applicable requirement. No such reopening is required if the effective date of the requirement is later than the date on which the permit is due to expire, unless the original permit or any of its terms and conditions has been extended pursuant to 9 VAC 5-80-80 F.

1. The permit shall be reopened if the board or the administrator determines that the permit contains a material mistake or that inaccurate statements were made in establishing the emissions standards or other terms or conditions of the permit.

2. The permit shall be reopened if the administrator or the board determines that the permit must be revised or revoked to assure compliance with the applicable requirements.

3. The permit shall not be reopened by the board if additional applicable state requirements become applicable to a major source prior to the expiration date

established under 9 VAC 5-80-110 D. (9 VAC 5-80-110 L)

S. Permit Availability

Within five days after receipt of the issued permit, the permittee shall maintain the permit on the premises for which the permit has been issued and shall make the permit immediately available to DEQ upon request. (9 VAC 5-80-150 E)

T. Transfer of Permits

1. No person shall transfer a permit from one location to another, unless authorized under 9 VAC 5-80-130, or from one piece of equipment to another. (9 VAC 5-80-160)

2. In the case of a transfer of ownership of a stationary source, the new owner shall comply with any current permit issued to the previous owner. The new owner shall notify the board of the change in ownership within 30 days of the transfer and shall comply with the requirements of 9 VAC 5-80-200. (9 VAC 5-80-160)

3. In the case of a name change of a stationary source, the owner shall comply with any current permit issued under the previous source name. The owner shall notify the board of the change in source name within 30 days of the name change and shall comply with the requirements of 9 VAC 5-80-200. (9 VAC 5-80-160)

U. Malfunction as an Affirmative Defense

1. A malfunction constitutes an affirmative defense to an action brought for noncompliance with technology-based emission limitations if the conditions of paragraph 2 are met. (9 VAC 5-80-250)

2. The affirmative defense of malfunction shall be demonstrated by the permittee through properly signed, contemporaneous operating logs, or other relevant evidence that show the following:

   a. A malfunction occurred and the permittee can identify the cause or causes of the malfunction.

   b. The permitted facility was at the time being properly operated.

   c. During the period of the malfunction the permittee took all reasonable steps to minimize levels of emissions that exceeded the emission standards, or other requirements in the permit.

   d. For malfunctions that occurred for one hour or more, the permittee submitted to the board by the deadlines described in **Failure/Malfunction Reporting** above, a notice and written statement containing a description of the malfunction, any steps taken to mitigate emissions, and corrective actions taken. The notice fulfills the requirement of 9 VAC 5-80-110 F.2. b to report promptly deviations

from permit requirements. (9 VAC 5-80-250)

3. In any enforcement proceeding, the permittee seeking to establish the occurrence of a malfunction shall have the burden of proof. The provisions of this section are in addition to any malfunction, emergency or upset provision contained in any requirement applicable to the source. (9 VAC 5-80-250)

V. Permit Revocation or Termination for Cause

A permit may be revoked or terminated prior to its expiration date if the owner knowingly makes material misstatements in the permit application or any amendments thereto or if the permittee violates, fails, neglects or refuses to comply with the terms or conditions of the permit, any applicable requirements, or the applicable provisions of 9 VAC 5 Chapter 80 Article 1. The board may suspend, under such conditions and for such period of time as the board may prescribe any permit for any of the grounds for revocation or termination or for any other violations of these regulations. (9 VAC 5-80-260)

W. Duty to Supplement or Correct Application

Any applicant who fails to submit any relevant facts or who has submitted incorrect information in a permit application shall, upon becoming aware of such failure or incorrect submittal, promptly submit such supplementary facts or corrections. An applicant shall also provide additional information as necessary to address any requirements that become applicable to the source after the date a complete application was filed but prior to release of a draft permit. (9 VAC 5-80-80 E)

X. Stratospheric Ozone Protection

If the permittee handles or emits one or more Class I or II substance subject to a standard promulgated under or established by Title VI (Stratospheric Ozone Protection) of the federal Clean Air Act, the permittee shall comply with all applicable sections of 40 CFR Part 82, Subparts A to F. (40 CFR Part 82, Subparts A - F)

Y. Accidental Release Prevention

If the permittee has more, or will have more than a threshold quantity of a regulated substance in a process, as determined under 40 CFR 68.115, the permittee shall comply with the requirements of 40 CFR Part 68. (40 CFR Part 68)

Z. Changes to Permits for Emissions Trading

No permit revision shall be required, under any federally approved economic incentives, marketable permits, emissions trading and other similar programs or processes for changes that are provided for in this permit. (9 VAC 5-80-110 I)

AA. Emissions Trading

Where the trading of emissions increases and decreases within the permitted facility is to occur within the context of this permit and to the extent that the regulations provide for trading such increases and decreases without a case-by-case approval of each emissions trade:

1. All terms and conditions required under 9 VAC 5-80-110 except subsection N shall be included to determine compliance.

2. The permit shield described in 9 VAC 5-80-140 shall extend to all terms and conditions that allow such increases and decreases in emissions.

3. The owner shall meet all applicable requirements including the requirements of 9 VAC 5-80-50 through 9 VAC 5-80-300. (9 VAC 5-80-110 I)

XI. State-Only Enforceable Requirements

The following terms and conditions are not required under the federal Clean Air Act or under any of its applicable federal requirements, and are not subject to the requirements of 9 VAC 5-80-290 concerning review of proposed permits by EPA and draft permits by affected states.

1. The only applicable “state only” requirement is that for odorous emissions (9 VAC 5-40-130).
(9 VAC 5-80-110 N)